

## **Remarks**

### **Status of the Claims**

Claims 1, 2 and 7-24 are pending. Claims 21-24 are withdrawn from consideration. Claims 1, 2 and 7-20 are rejected under Section 112, first paragraph. Claims 1, 2 and 7-21 are herein amended.

### **Withdrawal of Claim 21**

Claims 19 – 24 were added in Applicants' previous response of July 30, 2007. Claims 22-24 were directed to pharmaceutical compositions "comprising an effective amount of a compound ... *in combination with one or more additional cardiovascular agents selected from the group consisting of aspirin and clopidogrel bisulfate*" (emphasis added). These claims were presented by Applicants in error, as they are directed to "complex compositions" within the scope of non-elected Group III. This error was pointed out in the Office Action of October 19, 2007.

However, the withdrawal by the Examiner was as to Claims 21-24, rather than Claims 22-24. Claim 21 is not directed to a complex composition within the scope of non-elected Group III. Applicants submit that the Examiner inadvertently included Claim 21 in this list of withdrawn claims, and request that Claim 21 be included among the claims under active consideration.

### **Claim Amendments**

Claims 2 and 19 - 21 are herein amended to delete the recitations of "pharmaceutical" and "an effective amount of". Claims 1, 2 and 7-21 are herein amended to delete the recitation of "or solvate."

### **Rejections under 35 U.S.C. §112, First Paragraph**

Claim 2 was rejected under 35 U.S.C. §112, first paragraph as being unpatentable. The Examiner has brought this rejection due to the use of the terms "pharmaceutical" composition with an "effective amount" in said claim.

Without stipulating to the substance of the rejection and solely to advance the prosecution of this application, Applicants have herein amended Claim 2 by deleting the recitations of "pharmaceutical" and "an effective amount of" to recite the following:

2. A composition comprising at least one compound of Claim 1 or a pharmaceutically acceptable salt or solvate thereof, and at least one pharmaceutically acceptable carrier.

Claims 19 - 21 are similarly herein amended.

Claims 1, 2 and 7-20 were rejected under 35 U.S.C. §112, first paragraph, for alleged lack of enablement of the recitation of solvates.

Without stipulating to the substance of the rejection and solely to advance the prosecution of this application, Applicants have herein amended Claims 1, 2 and 7-21 by deleting the recitations of "or solvate".

With the amendments included herein, Applicants have addressed all rejections. Applicants submit that claims 1, 2 and 7-21 are in condition for allowance, which timely allowance is fervently sought.

Applicants reserve the right to pursue unelected subject matter in divisional applications, and unclaimed subject matter within the elected invention in continuation applications.

The Examiner is invited to contact the undersigned with any question that may arise.

### **AUTHORIZATION**

This submission is in response to an Office Action mailed on October 19, 2007. Since the normal expiry of the three-month extended period for response was on April 19, 2008 (a Saturday), and this submission is made on the first business day following that weekend date, this submission is timely filed under 37 C.F.R. 1.07. Thus, the Commissioner is petitioned for a three-month extension and authorized to draw the required amount from Applicants'

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deposit account no. 19-0365. Should any other such fee become necessary to render this Response timely filed and to enter the Amendments found herein, the Commissioner is petitioned for any such extensions and authorized to draw the required amount from Applicants' deposit account no.

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Schering-Plough Corporation  
Patent Department, K-6-1, 1990  
2000 Galloping Hill Road  
Kenilworth, New Jersey 07033  
Tel: 908-298-2960  
Fax: 908-298-5388

Respectfully submitted



Gerard E. Reinhardt  
Reg. No. 43,041  
Attorney for Applicant

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